**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH**
**AT HYDERABAD**

(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE THIRTY FIRST DAY OF OCTOBER,
TWO THOUSAND AND THREE

: PRESENT :

THE HON'BLE MR. JUSTICE: R. SUBHASH REDDY

W.P. No. 2563 of 2002

Between:

1. Kanikutla Ballayya
2. Adapa Sreenivasa Rao
3. Nakka Seetharamamma
4. Yarasani Babu
5. Kureti Adiseshayya
6. Yarasani Ramarao
7. Yarasani Subba Rao
8. Yarasani Narasimha Rao
9. Yarasani Mastan Rao
10. Yarasani Venkateswarlu
11. Yarasani Nancharamma
12. Yarasani Venkata Rama Mohana Rao
13. Yarasani Raghavayya
14. Yarasani Venkateswarlu
15. Kunapareddy Ramayya
16. Choppara Venkateswarlu
17. Thota Venkateswarlu

**(W.P. is dismissed as withdrawn in so far as it relating to the petitioners 1 to 8 and 10 to 17 as per court order in W.P. No. 2563/2002 dated 26-6-2002)**

Petitioners

AND

1. The Government of AP, rep. by its Secretary, Revenue ( Endowments) Department, Secretariat Buildings, Hyderabad
2. The Commissioner Endowments Department, Tilak Road, Hyderabad
3. The Executive Officer, Sri Bhavanarayanaswamy Temple, Ponnuru Village and Mandal, Guntur District
4. A.P.N.G.G.O's Association, Ponnuru Unit, rep. by its President, Md. Amanullah, So. Yasinullah, Junior Assistant, O/o. Deputy Executive Engineer, Nidubrolu, Guntur District
5. P. Srinivasa Rao, So. Peddanna, Ro. Hyderabad
   (Respondent No.5 is impleaded as per court order in WPMP No. 21652/2003 dated 4-9-2003)
6. Dr. S. Parthasarathi, So. Bhavannarayana, S/o. Sthanamvari Veedhi, Bapatla, Guntur District
   (Respondent No.6 is impleaded as per court order dated 10-9-2003 in WPMP No. 23928/2003)

Respondents

Petition under Article 226 of the Constitution of India praying that in the

circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a writ order or direction, more particularly one in the nature of Writ of Mandamus to declare the sale as by private negotiations as per the G.O.Ms.No. 911 dated 14-12-2000 by the Government of AP (Revenue & Endowments IV Department) in favour of A.P.N.G.G.O's Association, Ponnur, as arbitrary, violative of Articles 14 and 19 of the Constitution of India, and the same is violative of settle principles of law and the same is also opposed to Andhra Pradesh Occupants of Homesteads (Conferment of Ownership) Act 1976.



The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and the High Court order dated 6-6-2002 made in W.P.M.P. No. 3070 of 2002 and the order dated 26-6-2002 made in W.P. No. 2563 of 2002 and made herein and upon hearing the arguments of Mr. J. Venugopal Rao, Advocate for the Petitioner and of the G.P. for Endowments on behalf of Respondents 1 & 2 and of Mr. N. Guru Gopal, Advocate for the Respondent No.3 and of Mr. B. Somasekhar, Advocate for the Respondent No.4 and of Mr. P. Rajasekhar, Advocate for the Respondent No.5 and of Mr. M. Radhakrishna, Advocate for the Respondent No.6, the Court made the following

ORDER:

**" Post W.P. after two weeks.**

**Any interim order in the writ petition will not preclude the third respondent to file an application against any of the encroacher."**

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Secretary, Revenue (Endowments) Department, Government of AP, Secretariat Buildings, Hyderabad
2. The Commissioner Endowments Department, Tilak Road, Hyderabad
3. The Executive Officer, Sri Bhavanarayanaswamy Temple, Ponnuru Village and Mandal, Guntur District
4. Md. Amanullah, S/o. Yasinullah, President, A.P.N.G.G.O's Association, Ponnuru Unit, O/o. Junior Assistant in Deputy Executive Engineer, Nidubrolu, Guntur District
5. Two CCs to the G.P. for Endowments, High Court of A.P., Hyderabad (OUT)
6. Two CCS to the Additional Advocate General, High Court of AP, Hyderabad (OUT)
7. One Spare Copy.

MSR

# HIGH COURT

**DATE: 31-10-2003**

**ORDER**

W.P.No. 2563 of 2002

**DIRECTION**

**HIGH COURT**

**DRAFTED BY: MSR**
**DRAFTED ON: 3-11-2003**

**RSRJ**

**DATE: 31-10-2003**

**ORDER**

W.P.No. 2563 of 2002

OP**DIRECTION**